

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:) Group Art Unit: 1644
)
LAHN et al.) Examiner: Schwadron, R.B.
)
Serial No.: 09/826,319) Confirmation No.: 4155
)
Filed: April 3, 2001)
)
Atty. File No.: 2879-80)
)
For: "METHOD TO INHIBIT AIRWAY)
 HYPERRESPONSIVENESS USING)
 AEROSOLIZED T CELL RECEPTOR)
 ANTIBODIES")

REPLY TO NOTIFICATION OF
NON-COMPLIANT
APPEAL BRIEF

SUBMITTED VIA EFS-WEB

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

This Reply is filed in response to the Notification of Non-Compliant Appeal Brief mailed on January 28, 2009, and is being filed within the one month period set for reply. No fees are believed to be due. However, if any the fees required to enter this paper, please debit Deposit Account No. 19-1970.

In the Notification of Non-Compliant Appeal Brief, the Examiner indicated that the status of the claims is not consistent with the claims appendix, specifically that claim 33 has been cancelled and claim 36 is absent. Applicants have corrected the inadvertent typographical error that resulted in the incorrect numbering of the claims in the claims appendix and are submitting herewith a Fourth Amended Appeal Brief.

Any questions or concerns regarding this Reply should be directed to the undersigned at (303) 863-9700.

*Application/Control No. 09/826,319
Art Unit 1644*

Respectfully submitted,

SHERIDAN ROSS P.C.

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Date: February 24, 2009